



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Newark, N.J. 07101
January 4, 2005

**FBI CHARGES INDIVIDUAL RESPONSIBLE FOR
NEW JERSEY AIRCRAFT LASER INCIDENT**

Newark - Joseph Billy, Jr., Special Agent in Charge of the New Jersey

Office of the Federal Bureau of Investigation announced that the FBI filed a federal complaint against David Banach, age 38, of Parsippany, New Jersey today charging him with violation of U.S. Code, Title 18, Section 1993 (a) (5) and (8), and 1993(b) stating that on or about December 29, 2004 he did knowingly and willfully interfere with, disable and incapacitate a driver, captain or person, namely an aircraft pilot, while employed in operating and maintaining a mass transportation vehicle, namely a chartered Atlantic Aviation aircraft with reckless disregard for the safety of human life. Additionally Banach was charged with violation of U.S. Code, Title 18, Section 1001 in that on or about December 31, 2004 he knowingly and willfully made materially false, fictitious, and fraudulent statements and representations to the Federal Bureau of Investigation.

The investigation leading to these charges was conducted by the Newark Division of the FBI's Joint Terrorism Task Force (JTTF) with assistance provided by the Parsippany Police Department, the Morris Plains Police Department and the Morristown Police Department. The initial investigation at Teterboro Airport last Wednesday evening was conducted by the Federal Aviation Administration (FAA), the New Jersey State Police, the Passaic County Sheriff's Office, the Passaic County Prosecutors Office, the Morris County Prosecutors Office, Rockaway Township Police Department and the Wayne Police Department. Extremely vital to this investigation from its inception through today was the assistance of the Port Authority police Department headed by Superintendent of Police Samuel J. Plumeri, Jr.

SAC Billy stated that this case and today's charges highlight the FBI's continued commitment to aggressively investigating matters involving public safety in an era where preventing terrorism is our number one priority. "It is important that we do everything that we possibly can to ensure the safety of our Nation's air carriers. While this particular incident was not terrorism related the FBI considers this an extremely serious matter as not only was the safety of the pilot and passengers placed in jeopardy by Banach's actions so were countless innocent civilians on the ground in this densely populated area. What was done was foolhardy and reckless," said Billy. By providing false and misleading information to FBI Agents, Banach also impeded the swift resolution of this matter added SAC Billy.

"We have to send a clear message to the public that there is no harmless mischief when it comes to airplanes," U. S. Attorney Christopher J. Christie said. Mr. Banach's actions as alleged in the criminal complaint put innocent lives at risk. That is illegal and unacceptable."

Banach will have his initial appearance at approximately 2 pm this afternoon at United States District Court, District of New Jersey, Newark in front of a United States Magistrate Judge Mark Falk.

A copy of the complaint will be provided by the U.S. Attorneys Office in Newark.